



**U.S. Customs and
Border Protection**

Docket Management Facility
U.S. Department of Transportation
1200 New Jersey Avenue, SE
West Building Ground Floor, Room W12-140
Washington, DC 20590

To the Docket Management Facility,

U.S. Customs and Border Protection (CBP), Air and Marine Operations (AMO), requests the renewal of Exemption No. 18628, under regulatory Docket No. FAA-2001-9369, citing appropriate mission requirements. The list of sections are as follows:

- § 91.111(b)
- § 91.117(a), (b), and (c)
- § 91.119(c)
- § 91.159(a)
- § 91.209(a)(1) and (b)

CBP requests that a summary of the petition not be published in the Federal Register due to the potential security sensitivity of the exemption, which the Federal Aviation Administration also previously granted.

CBP, AMO, requests the Federal Aviation Administration grant Part 91 Exemptions based on AMO's statutory Homeland Security missions, codified in 6 United States Code (U.S.C.) § 211 (f), versus the same exemptions previously granted based solely on air operations in support of drug law enforcement and drug traffic interdiction, which are still a core mission set for AMO. Most of AMO's Homeland Security missions require exemption of multiple Part 91 sections. Some of the specific aviation operations in support of Homeland Security are as follows:

- Air interdiction operations
- Airborne use of force
- Aircrew rifle operations
- Aerial disabling fire operations
- Aerial surveillance
- Tactical team and vertical insertion
- Over-water enforcement operations
- Search and rescue
- Rappelling, hoist, and sling load operations

This list is a sampling of missions executed by AMO pilots daily within the National Airspace System, both domestic and oceanic.

In accordance with 6 U.S.C. § 211(f) (3)(A) and (C), "Air and Marine Operations shall serve as the law enforcement office within U.S. Customs and Border Protection with primary responsibility to detect, interdict, and prevent acts of terrorism and the unlawful movement of people, illicit drugs, and other contraband across the borders of the United States in the air and maritime environment;" and "conduct aviation and marine operations with international, Federal, State, and local law enforcement agencies, as appropriate."

AMO interdicts unlawful people and cargo approaching U.S. borders, investigates criminal networks, provides domain awareness in the air and maritime environments, and responds to contingencies and national taskings. AMO operates surveillance systems to detect, interdict, and prevent acts of terrorism and the unlawful movement of people, illicit drugs, and other contraband into the United States by air, land, and sea.

There has been no change to the conditions and reasons relative to public interests and safety that were the basis for granting the original exemption.

Response to this request can be sent to:

Robin M. Dooley
Director, Domain Awareness Security Operations
Air and Marine Operations
1300 Pennsylvania Avenue, NW, Ste. 6.4A
Washington, DC 20229

The point of contact for this request is Robin M. Dooley, Director, Domain Awareness Security Operations, AMO. He can be reached at robin.dooley@cbp.dhs.gov or (202) 344-2889. I can be reached at jonathan.p.miller@cbp.dhs.gov and (202) 325-1346.

Sincerely,



Jonathan P. Miller
Executive Director, Operations
Air and Marine Operations